



**South Dakota Board of Pharmacy**  
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**Facts a Technician Needs to Know.....**

**To work as a technician in South Dakota, you must:**

- Step 1** Be a high school graduate or have attained a GED
- Step 2** Be *hired/employed* as a technician
- Step 3** Be *registered* - Complete a **Technician Registration and Renewal Application** form within 30 days of employment
  - Use current application (<http://doh.sd.gov/boards/pharmacy/assets/TechnicianApplication.pdf>)
  - One application is used for a **new** registration and **renewing** a registration
    - ✓ Check **New technician** if you have **never** been assigned a technician # in South Dakota
    - ✓ Check **Renewal** if you have been assigned a technician # in South Dakota at any time
- Step 4** Application must be signed by Pharmacist-In-Charge and submitted to SD Board of Pharmacy (BOP) for processing
- Step 5** Make a copy of all documents and file for your personal records
- Step 6** BOP will issue a technician *registration* card and mail it to your employer

**What is a Registration?**

- A technician receives a *registration* from the BOP
- All registrations expire October 31<sup>st</sup> each year and must be renewed (complete Steps 3 - 5)
- Renewal period is Sept 1<sup>st</sup> thru Oct 31<sup>st</sup>.
- Important information on your registration:

Technician #	(a unique identifying number specifically assigned to you only)
Initial Issue Date	(the date your <b>first</b> registration was issued)
Must Be Certified By Date	(the date you must be <b>certified</b> by)
Issue Date	(the date you <b>renewed</b> your registration)
Expiration Date	(the date your registration expires)
- A technician keeps the same technician # throughout their employment in South Dakota.
- If a registration expires (ex: tech-stops working, moves out of state, works in another field then returns to employment as a tech in SD), technician must complete Steps 3 - 5 above using their assigned technician # and check the registration **renewal** option on the application. Do not check *new* technician.
- A technician **must** take their registration with them when leaving or changing employment. The registration should be given to the new employer or kept by the technician until it expires.

**Technician Certification:**

- Administrative Rule (20:51:29:06) requires a technician be certified within 2 years of registration Initial Issue Date
- The BOP **does not**: certify technicians, provide certification training, education or administer the national technician certification exam. Direct certification questions to your employer / Pharmacist-In-Charge
- Upon certification, technician must provide the BOP with a copy of the certificate issued by certifying agency (i.e. PTCB)
- Technician must retain their certification to be employed as a technician in South Dakota
- Technician must complete 20 hours of continuing education (CE) every other year in order to renew their certification
- Technician reports their CE to the agency that certified them. CE should not be reported to the BOP; BOP is not the certifying agency.

**Changed Employment, Moved, Got Married, etc.**

- You have **10 days** to notify the Board of a change by completing a **Change of Name, Address / Employment Form** found on the website (<http://doh.sd.gov/boards/pharmacy/assets/ChangeAddressForm.pdf>).

## CHAPTER 20:51:29

### REGISTERED PHARMACY TECHNICIANS

#### Section

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#### **20:51:29:00. Definitions.**

- (1) "Board" or "board of pharmacy," as defined in SDCL 36-11-2(2);
- (2) "Pharmacist," as defined in SDCL 36-11-2(18);
- (3) "Pharmacist intern," as defined in § 20:51:02:01;
- (4) "Registered pharmacy technician," as defined in SDCL 36-11-2(22A);
- (5) "Pharmacy technician-in-training," an individual who is registered with the board to receive on-the-job training in a licensed pharmacy for preparation for registration as a pharmacy technician.

**Source:** 31 SDR 35, effective September 19, 2004; 38 SDR 121, effective January 17, 2012.

**General Authority:** SDCL 36-11-11(1), 36-11-11(14).

**Law Implemented:** SDCL 36-11-11(14).

**20:51:29:01. Purpose of registration.** A registration program for pharmacy technicians and pharmacy technicians-in-training is established for the primary purpose of assuring the competency of registered pharmacy technicians and for purposes of identification, tracking, and disciplinary actions.

**Source:** 31 SDR 35, effective September 19, 2004; 38 SDR 121, effective January 17, 2012.

**General Authority:** SDCL 36-11-11(1), 36-11-11(14).

**Law Implemented:** SDCL 36-11-11(14).

**20:51:29:02. Registration required.** Any person employed in South Dakota as a pharmacy technician or pharmacy technician-in-training shall obtain and maintain during such employment a current registration as a pharmacy technician or pharmacy technician-in-training pursuant to this chapter. Any person accepting employment as a pharmacy technician or pharmacy technician-in-training in South Dakota who fails to register as a pharmacy technician or pharmacy technician-in-training as provided by rule may be subject to disciplinary sanction as provided by rule § 20:51:29:27.

**Source:** 31 SDR 35, effective September 19, 2004; 38 SDR 121, effective January 17, 2012.

**General Authority:** SDCL 36-11-11(1), 36-11-11(14).

**Law Implemented:** SDCL 36-11-11(14).

**20:51:29:03. Original application.** Any person initially applying for a certificate of registration as a pharmacy technician or pharmacy technician-in-training shall submit an application to the board within 30 days of accepting employment in a South Dakota pharmacy as a pharmacy technician or pharmacy technician-in-training.

Effective July 1, 2014, the board shall not issue an initial pharmacy technician registration or pharmacy technician-in-training registration to any individual who does not present the board with evidence of high school graduation or possession of a general educational development certificate equivalent. An individual who was registered by the board prior to July 1, 2011, may renew the individual's registration provided that all other requirements for renewal are met and provided that the individual maintains a pharmacy technician registration or national certification on an uninterrupted basis. Any individual whose registration or national certification lapses for a period of one year must meet the registration requirements in effect at the time the individual applies for reinstatement of registration.

**Source:** 31 SDR 35, effective September 19, 2004; 38 SDR 121, effective January 17, 2012.

**General Authority:** SDCL 36-11-11(1), 36-11-11(14).

**Law Implemented:** SDCL 36-11-11(14).

**20:51:29:04. College or vocational based training program.** Any person who is enrolled in a college or vocational-based technician training program is required to obtain a pharmacy technician-in-training registration prior to beginning on-site practical experience. The length of technician-in-training program may not exceed a period of more than two years.

**Source:** 31 SDR 35, effective September 19, 2004; 38 SDR 121, effective January 17, 2012.

**General Authority:** SDCL 36-11-11(1), 36-11-11(14).

**Law Implemented:** SDCL 36-11-11(14).

**20:51:29:05. Exemptions from registration.** A registered pharmacy intern whose South Dakota registration is in good standing and who assists in the technician function of the practice of pharmacy is not required to register as a pharmacy technician.

**Source:** 31 SDR 35, effective September 19, 2004.

**General Authority:** SDCL 36-11-11(1), 36-11-11(14).

**Law Implemented:** SDCL 36-11-11(14).

**20:51:29:06. Certification of pharmacy technicians.** The national certification of pharmacy technicians is required. Effective July 1, 2014, the board shall not renew the registration of a pharmacy technician who was initially registered after July 1, 2011, unless the pharmacy technician is nationally certified and has passed a board-approved pharmacy technician certification examination that is accredited by the National Commission for Certifying Agencies (NCCA).

Pharmacy technician national certification does not supplant the need for a licensed pharmacist to exercise control over the performance of a delegated function nor does national certification exempt the pharmacy technician from registration pursuant to this chapter.

**Source:** 31 SDR 35, effective September 19, 2004; 38 SDR 121, effective January 17, 2012.

**General Authority:** SDCL 36-11-11(1), 36-11-11(14).

**Law Implemented:** SDCL 36-11-11(14).

**20:51:29:07. Registration application form.** The application form for registration as a pharmacy technician shall include the following:

- (1) Information sufficient to identify the applicant including name, address, phone number, date of birth, gender, and social security number;
- (2) Work experience; and
- (3) Current and past places of employment.

**Source:** 31 SDR 35, effective September 19, 2004.

**General Authority:** SDCL 36-11-11(1), 36-11-11(14).

**Law Implemented:** SDCL 36-11-11(14).

**20:51:29:08. Declaration of current impairment or limitations.** The applicant shall declare any current use of drugs, alcohol, or other chemical substances that in any way impairs or limits the applicant's ability to perform the duties of a pharmacy technician with reasonable skill and safety.

**Source:** 31 SDR 35, effective September 19, 2004.

**General Authority:** SDCL 36-11-11(1), 36-11-11(14).

**Law Implemented:** SDCL 36-11-11(14).

**20:51:29:09. Felony or misdemeanor crimes.** The applicant shall declare any history of being charged, convicted, found guilty of or entering a plea of guilty or no contest to a felony or misdemeanor crime other than minor traffic violations with fines under \$100.

**Source:** 31 SDR 35, effective September 19, 2004.

**General Authority:** SDCL 36-11-11(1), 36-11-11(14).

**Law Implemented:** SDCL 36-11-11(14).

**20:51:29:10. Sworn signature.** The applicant shall sign the application under penalty of perjury and shall submit it to the board.

**Source:** 31 SDR 35, effective September 19, 2004.

**General Authority:** SDCL 36-11-11(1), 36-11-11(14).

**Law Implemented:** SDCL 36-11-11(14).

**20:51:29:11. Registration renewal.** The registration of a pharmacy technician expires on October 31 each year following initial registration.

Effective July 1, 2014, the board shall not renew the registration of a pharmacy technician who was initially registered after July 1, 2011, or who was initially registered prior to that date but did not maintain continuous registration, unless the individual provides the board with evidence of completion of one of the following:

(1) A pharmacy technician training program offered by a board-approved, accredited vocational/technical institution or college;

(2) A pharmacy technician training program accredited by a board-approved, national organization that accredits pharmacy technician training programs;

(3) A pharmacy technician training program provided by a branch of the United States armed forces or Public Health Service; or

(4) An employer-based pharmacy technician training program that includes a minimum total of 480 hours in a one-year period to include both theoretical and practical instruction. An employer utilizing such a program must develop and regularly update a technician training manual that must be available for board inspection upon request. The employer must also supply a pharmacy technician who completes the training program with evidence of completion. The employer-based pharmacy technician training program must include written guidelines, policies, and procedures that define the specific tasks the technician will be expected to perform.

**Source:** 31 SDR 35, effective September 19, 2004; 38 SDR 121, effective January 17, 2012.

**General Authority:** SDCL 36-11-11(1), 36-11-11(14).

**Law Implemented:** SDCL 36-11-11(14).

**20:51:29:12. Registration fee.** The fee for initial registration is \$25. The renewal fee for the registration is \$25. Fees shall be paid at the time the new application or the renewal application is submitted. Fee payment shall be in the form of a personal check, certified or cashier check, or money order payable to the Board of Pharmacy.

**Source:** 31 SDR 35, effective September 19, 2004.

**General Authority:** SDCL 36-11-11(1), 36-11-11(14).

**Law Implemented:** SDCL 36-11-11(14).

**20:51:29:13. Timeliness of initial application or renewal application.** An application for initial or renewal application may be denied if not received within the applicable period specified in § 20:51:29:03 for new applicants or by the expiration date of the renewal registration. Any registration not renewed before its expiration date is delinquent. An individual who continues employment as a pharmacy technician without a current registration may be subject to disciplinary sanctions as provided in § 20:51:29:27.

**Source:** 31 SDR 35, effective September 19, 2004.

**General Authority:** SDCL 36-11-11(1), 36-11-11(14).

**Law Implemented:** SDCL 36-11-11(14).

**20:51:29:14. Registration certification.** The pharmacy technician shall maintain the original certificate of registration as a pharmacy technician issued by the board. The pharmacist-in-charge (§ 20:51:06:02.01) of each pharmacy utilizing a pharmacy technician is responsible for verifying that any technician working in the pharmacy is registered and compliant with all rules of this chapter. Any violation by the technician may be grounds for disciplinary action against the pharmacist-in-charge.

**Source:** 31 SDR 35, effective September 19, 2004.

**General Authority:** SDCL 36-11-11(1), 36-11-11(14).

**Law Implemented:** SDCL 36-11-11(14).

**20:51:29:15. Notification to the board.** Within ten days of any change of the technician's name, address, or pharmacy employment status, a pharmacy technician shall report that change to the board.

**Source:** 31 SDR 35, effective September 19, 2004.

**General Authority:** SDCL 36-11-11(1), 36-11-11(14).

**Law Implemented:** SDCL 36-11-11(14).

**20:51:29:16. Training and utilization of pharmacy technicians.** Notwithstanding the fact that a pharmacy technician has completed a training program as specified in § 20:51:29:11, it is the responsibility of the pharmacist-in-charge of a pharmacy to ensure that a technician receives adequate training in the tasks performed by pharmacy technicians working at that pharmacy. Any pharmacy utilizing a pharmacy technician shall develop, implement, and periodically review written policies and procedures for training and utilizing pharmacy technicians appropriate to the practice of pharmacy at that pharmacy. Each pharmacy shall specify in its policies the frequency of review. Each pharmacy shall document and maintain each technician's training for the duration of employment. The pharmacy shall make its policies and procedures and documentation of technician training available for inspection by the board.

**Source:** 31 SDR 35, effective September 19, 2004; 38 SDR 121, effective January 17, 2012.

**General Authority:** SDCL 36-11-11(1), 36-11-11(14).

**Law Implemented:** SDCL 36-11-11(14).

**20:51:29:17. Identification of pharmacy technicians.** A pharmacy technician shall wear a visible identification badge while on duty that clearly identifies the person as a pharmacy technician and includes the technician's first name.

**Source:** 31 SDR 35, effective September 19, 2004.

**General Authority:** SDCL 36-11-11(1), 36-11-11(14).

**Law Implemented:** SDCL 36-11-11(14).

**20:51:29:18. Misrepresentation prohibited.** A pharmacy technician may not represent himself or herself in any manner as a pharmacist.

**Source:** 31 SDR 35, effective September 19, 2004.

**General Authority:** SDCL 36-11-11(1), 36-11-11(14).

**Law Implemented:** SDCL 36-11-11(14).

**20:51:29:19. Ratio.** The ratio of pharmacy technicians to pharmacists that may be on duty in a pharmacy at a given time is three technicians for every pharmacist. A pharmacy intern does not count in this ratio (§ 20:51:02:11.01).

**Source:** 31 SDR 35, effective September 19, 2004; 42 SDR 19, effective August 19, 2015.

**General Authority:** SDCL 36-11-11(1), 36-11-11(14).

**Law Implemented:** SDCL 36-11-11(14).

**20:51:29:19.01. Exception to ratio for mail service pharmacy.** Repealed.

**Source:** 33 SDR 73, effective November 6, 2006; 36 SDR 21, effective August 17, 2009; repealed, 42 SDR 19, effective August 19, 2015.

**20:51:29:19.02. Exception to ratio for hospital, mail order, and long-term care pharmacy.** The maximum ratio of pharmacy technicians to pharmacists that may be on duty in a hospital, mail order, and long-term care pharmacy will be determined by the pharmacist in charge. However, all of the following requirements must be met:

- (1) Medication is dispensed pursuant to a legal prescription;
- (2) The technology includes tablet or product imaging and or bar code scanning, or both, to insure accuracy in the prescription filling process;
- (3) A role-based access software automation system that places stop points within the prescription filling process is used, which requires a pharmacist's intervention before allowing the prescription to move to the next step in the prescription dispensing process;
- (4) Pharmacy software that screens and detects drug allergies, identifies drug interactions, and checks age appropriate dosage ranges is used;
- (5) A pharmacist reviews clinically significant computer warnings of drug interactions, therapy duplications, and contraindications;
- (6) Electronic surveillance technology is used to control access or to provide continuous monitoring of all areas where drugs are stored or dispensed or both;
- (7) All non-pharmacist personnel who input patient drug information into a computer or whose duties include receiving, packaging, shipping of drugs, or who have access to any areas where drugs are dispensed are registered as pharmacy technicians and meet the requirements in chapter 20:51:29;
- (8) In hospital and long-term care pharmacies, nursing personnel in facilities served by the pharmacy have telephone access to a pharmacist 24 hours a day, 7 days a week. In mail order pharmacies, a patient has access to a pharmacist 24 hours a day, 7 days a week on a dedicated pharmacist staff line;
- (9) Drug information, both electronic and hard copy, is readily available to pharmacists;
- (10) A quality assurance program that identifies and evaluates dispensing errors, accompanied by a continuous quality improvement program that assures very high dispensing accuracy rates in place;
- (11) There are written policies and procedures for all pharmacy functions -- clerical, supportive, technical, and clinical;
- (12) There are written policies and procedures for training personnel, including on-going training programs for all personnel and documentation of that training for each employee;
- (13) There is a strict monitoring program designed to prevent diversion of controlled substances. This includes perpetual inventory of all schedule II controlled drugs as well as selected high-risk schedule III, IV, and V drugs. Routine audits are conducted to review purchases versus dispensing of controlled drugs to deter and detect diversion.

**Source:** 36 SDR 21, effective August 17, 2009; 42 SDR 19, effective August 19, 2015.

**General Authority:** SDCL 36-11-11(1)(14).

**Law Implemented:** SDCL 36-11-11(14).

**20:51:29:20. Delegation and supervision of technical functions.** A pharmacist may delegate technical dispensing functions to a pharmacy technician, but only if the pharmacist is on site supervising the delegated functions performed. The pharmacist shall provide and document the final verification for the accuracy, validity, completeness, and appropriateness of the patient's prescription or medication order prior to the delivery of the medication to the patient or the patient's representative.

The physical presence requirement of the pharmacist does not apply when utilizing an automated dispensing device approved by the board. After proper checking and verification with the physician orders by the pharmacist, the technician may replace medications to the automated dispensing device that have been checked by the pharmacist. The pharmacist is not required to accompany the technician when placing medications into the automated dispensing device. The automated dispensing device must be capable of printing out a record of medications filled by the technician. The record shall be checked and verified by the pharmacist daily.

**Source:** 31 SDR 35, effective September 19, 2004.

**General Authority:** SDCL 36-11-11(1), 36-11-11(14).

**Law Implemented:** SDCL 36-11-11(14).

**20:51:29:21. Technical functions.** At the discretion of the supervising pharmacist, technical functions which may be delegated to a pharmacy technician include the following:

- (1) Performing packaging, manipulative, or repetitive tasks relating to the processing of a prescription or medication order in a licensed pharmacy;
- (2) Accepting prescription refill authorization communicated to a pharmacy by a prescriber, or by the prescriber's agent;
- (3) Contacting prescribers to obtain prescription refill authorization;
- (4) Collecting pertinent patient information;
- (5) Inspecting drug supplies provided and controlled by a South Dakota licensed pharmacy, including drug supplies maintained in an automated mechanical dispensing device, emergency medical room, ambulance vehicle, long-term care facility, a hospital nursing unit, or a hospice facility;
- (6) Assisting the pharmacist with the preparation of medications for administration to the patient topically, by injection, or other approved methods.

**Source:** 31 SDR 35, effective September 19, 2004.

**General Authority:** SDCL 36-11-11(1), 36-11-11(14).

**Law Implemented:** SDCL 36-11-11(14).

**20:51:29:22. Tasks a pharmacy technician may not perform.** A pharmacy technician may not:

- (1) Provide the final verification for the accuracy, validity, completeness, or appropriateness of a filled prescription or medication order;
- (2) Conduct prospective drug use review or evaluate a patient's medication record for purposes identified in § 20:51:25:02;
- (3) Provide final verification of automated dispensing medication fill records for accuracy and completeness;
- (4) Make decisions that require a pharmacist's professional judgment such as interpreting new orders, applying information, or making product selection for drugs that are substitutable;
- (5) Accept new oral prescription medication orders communicated to the pharmacy by a prescriber or the prescriber's agent; or



(6) Open, keep open, or provide pharmaceutical services from a pharmacy without a pharmacist being present as provided in §§ 20:51:06:11, 20:51:15:02, and 20:51:15:04.

A violation of this section constitutes illegal conduct or practice and may be grounds for disciplinary action as provided in § 20:51:29:27.

**Source:** 31 SDR 35, effective September 19, 2004.

**General Authority:** SDCL 36-11-11(1), 36-11-11(14).

**Law Implemented:** SDCL 36-11-11(14).

**20:51:29:23. Misrepresentative deeds.** A pharmacy technician may not make any statement tending to deceive, misrepresent, or mislead anyone, or be a party to or an accessory to any fraudulent or deceitful practice or transaction in a pharmacy or in the operation or conduct of a pharmacy.

**Source:** 31 SDR 35, effective September 19, 2004.

**General Authority:** SDCL 36-11-11(1), 36-11-11(14).

**Law Implemented:** SDCL 36-11-11(14).

**20:51:29:24. Confidentiality.** In the absence of express written consent from the patient or written order or direction of a court, except where the best interests of the patient require, a pharmacy technician may not divulge or reveal to any person other than the patient or the patient's authorized representative, the prescriber, or other licensed practitioner then caring for the patient, a licensed pharmacist or a person duly authorized by law to receive such information, any of the following:

- (1) The contents of any prescription drug order or medication or the therapeutic effect thereof or the nature of professional pharmaceutical services rendered to a patient;
- (2) The nature, extent, or degree of illness suffered by any patient; or
- (3) Any medical information furnished by the prescriber.

**Source:** 31 SDR 35, effective September 19, 2004.

**General Authority:** SDCL 36-11-11(1), 36-11-11(14).

**Law Implemented:** SDCL 36-11-11(14).

**20:51:29:25. Illegal/unethical behavior.** A pharmacy technician may not exhibit illegal/unethical behavior in connection with the technician's pharmacy employment. Illegal/unethical behavior includes the following acts: verbal or physical abuse, coercion, intimidation, harassment, sexual advances, threats, degradation of character, profanity, indecent or obscene conduct, and theft. A violation of this section may be grounds for disciplinary action as provided in § 20:51:29:27.

**Source:** 31 SDR 35, effective September 19, 2004.

**General Authority:** SDCL 36-11-11(1), 36-11-11(14).

**Law Implemented:** SDCL 36-11-11(14).

**20:51:29:26. Denial of registration.** The board may deny an application for registration as a pharmacy technician for any violation of the laws of this state, another state, or the United States relating to prescription drugs, controlled substances, or nonprescription drugs (or for any violation of this chapter).

**Source:** 31 SDR 35, effective September 19, 2004.

**General Authority:** SDCL 36-11-11(1), 36-11-11(14).

**Law Implemented:** SDCL 36-11-11(14).

**20:51:29:27. Sanctions.** The board may impose the following disciplinary sanctions for violations of this chapter:

- (1) Revoke a pharmacy technician registration;
- (2) Suspend a pharmacy technician registration until further order of the board or for a specified period;
- (3) Not renew of a pharmacy technician registration;
- (4) Prohibit permanently, until further order of the board, or for a specified period, the engaging in specified procedures, methods, or acts;
- (5) Impose a probationary period;
- (6) Order a physical or mental examination;
- (7) Issue a citation and warning.

**Source:** 31 SDR 35, effective September 19, 2004.

**General Authority:** SDCL 36-11-11(1), 36-11-11(14).

**Law Implemented:** SDCL 36-11-11(14).